

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
Case No. 1:21-cv-119-MR**

<b>HOPE SURROGACY, INC.,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>v.</b>	)
	)
<b>CARRYING HOPE SURROGACY,</b>	)
<b>LLC,</b>	)
	)
<b>Defendant.</b>	)

**PROPOSED ORDER ON DISCOVERY OF ELECTRONICALLY STORED  
INFORMATION**

The Court sets the following production format provisions for producing electronically stored information ("ESI"):

1. The parties agree that each party presumptively shall bear its own costs for production of documents, including for production of electronically stored information ("ESI"). The parties agree to remain flexible as to the form of load files to be provided, but that all reasonable efforts will be made to provide load files.
2. Nothing in this Order shall limit the rights of the parties with regard to any allowable discovery disputes, actions and/or objections under Fed. R. Civ. P. 26 and/or other applicable rules and law.

3. The parties agree that embedded documents need not be extracted and separately produced unless an independent basis exists for their production. The parties agree to work together to produce electronic production in the form requested by each side.

4. To the extent emails are subject to discovery, the parties will endeavor to preserve and produce the following metadata fields: sender, recipient(s), date sent, and parent/child identification for any attachments.

5. To the extent any additional issues arise with respect to discovery of electronically stored information, the parties shall cooperate and work together in good faith to reach an agreement.

6. The parties agree that communications or documents that are privileged or protected as work product and that were generated after the commencement of this litigation need not be included in a privilege log under Rule 26(b)(5).

SO ORDERED, this the \_\_\_\_ day of May, 2021.

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MARTIN REIDINGER  
United States District Judge